

MERRY CHRISTMAS AND HAPPY MILLENIUM!

Contrary to earlier fears, actually, the Hongkong of today is, on the surface, not too different from the Hongkong of yesteryear.

Its name has changed, of course, to The Hongkong Special Administrative Region (HKSAR) of the People's Republic of China (PRC), but the Administration of this territory, though less efficient, perhaps, remains, virtually untouched with the exception of the abolishment of certain councils and, for the first time in Hongkong's history, the Civil Service suffered a cut in salaries.

With regard to the Administration of Government, it has been mentioned to TARGET that, perhaps, the British Government should have prepared Hongkong, and the Hongkong Government Civil Service, for the change of sovereignty by permitting greater delegation of duties to non-European members of the former Establishment, as far back as the early days of the Governorship of Mr Chris Patten.

There is some truth in this assertion, no doubt.

One notes that there is a decided lack of efficiency in many areas of Government, today, with Civil Servants adopting, what the British used to call, the Government Stroke.

Where there have been very decided changes is in the area of law.

There has been, without question, a chipping away of the concept that a determination of the highest court in these 416 square miles is sacrosanct.

Now, the Standing Committee of the National People's Congress is the final arbiter of any legal or constitutional matter, referred to it by the Chief Executive of the HKSAR or, presumably, the Court of Final Appeal (CFA) of the HKSAR.

This is a pity because it appears to smack of the Executive Branch of Government, interfering in the affairs of the Judicial Branch of Government.

What happened to the concept of the Separation of Powers?

Thus far, there has only been one instance of a Court of Final Appeal determination, having been sent to the Standing Committee. The decision of the Standing Committee on the Right of Abode Controversy had the effect of overturning the determination of the CFA.

It remains to be seen whether or not there will be a further erosion of English Common Law in the HKSAR.

What has not changed, in the least, since the British left these shores, is the idea that the Government of the HKSAR may be influenced by big money.

The recent oblique move by the Executive Council, with regard to the matter of permitting live-in domestic helpers to be permitted to operate motor vehicles as part of their duties, must have sent very clear signals to the effect: (a) It is possible to bring the Government to book by having big business apply the thumbscrews; and, (b) many of the members of the Legislative Branch of Government must be considered shallow in their thinking.

If big business and big money had not balked at the idea, that their live-in domestics may not, at law, drive them, then there would have been no about-face on the part of Government, of that there can be no question.

The inapproachability of many, high-ranking Government officials is another change that one may have noted since the departure of the British.

For those lucky few, who have had the good fortune of having met with Chief Executive Tung Chee Hwa, they have come away with more questions than answers.

The lack of accountability is the kernel of this situation since Mr Tung Chee Hwa answers only to his superiors in Beijing.

And Beijing brooks no revolt from the '*rebels*' of South China, residing in the HKSAR.

A depressing situation in the HKSAR is that the Government appears not to grab the initiative in times of necessity.

With business throughout the HKSAR, suffering among the worst economic situations since the early 1980s, one would have thought that a Government think-tank would have been established to try to find a way to rekindle some fire in the bellies of HKSAR industrialists and property moguls.

It was not to be.

One may be tempted to suggest that there is a lack of leadership in Government and that many, if not all, of the sycophants, are not willing to stand up and be counted for fear of having their legs, chopped off from under them.

This is not very different from the way things were during the days of the British Administrations, but successive British Administrations were more paternalistic in their approach to the administration of the Colony of Hongkong; and, the British-appointed Governor knew that his job was on the line should he fail to be perceived as having accomplished the mandate(s) of his masters in London.

What is very apparent in the HKSAR of today is that the key to success is to be the best tergiversate, and to be seen to be such.

Interestingly enough, tergiversation is contrary to the teachings of Confucius where loyalty is considered to be a virtue.

It has been suggested to TARGET that the reason for this is that the Chinese population of the HKSAR are practical people and that, to cling onto the ideals of yesteryear will not put one in good stead with one's masters of today.

Pity Jesus Christ, George Washington, Mahatma Gandhi, Nelson Mandela, et alii!

This is the last TARGET for this Century.

The next TARGET will be published on January 3, 2000.

Merry Christmas! Happy Millennium!

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